

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WENDELL SHANE MACKEY,

Plaintiff,

v.

Case No: 17-12359
Judge Bernard A. Friedman
Magistrate David R. Grand

JAMES MICHAEL BERRYMAN,
Mayor of the City of Adrian, Michigan;
MARGARET M.S. NOE,
Judge of the Lenawee County Circuit Court,

Defendants.

Issa G. Haddad (P71699)
HADDAD LAW FIRM, PLC
Counsel for Plaintiff
30600 Telegraph Road, Suite 4280
Bingham Farms, MI 48025
248.633.8500
issa@haddlaw.com

John J. Gillooly (P41948)
GARAN LUCOW MILLER, P.C.
Attorney for James M. Berryman
1155 Brewery Park Blvd., Ste 200
Detroit, MI 48207
313.446.5501
jgillooly@garanlucow.com

Christopher J. Johnson (P32937)
JOHNSON, ROSATI, SCHULTZ &
JOPPICH, P.C.
Attorney for Margaret M.S. Noe
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331
248.489.4100
cjohnson@jrslaw.com

**DEFENDANT JAMES MICHAEL BERRYMAN'S ANSWER TO
PLAINTIFF'S COMPLAINT,
NOTICE OF SPECIAL AND/OR AFFIRMATIVE DEFENSES AND
RELIANCE UPON JURY DEMAND**

NOW COMES Defendant, JAMES MICHAEL BERRYMAN, by and through his attorneys, GARAN LUCOW MILLER, P.C., and for his Answer to the Complaint of Plaintiff states as follows:

A. Introduction

1. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

2. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

3. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

4. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

5. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

JURISDICTION

6. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

VENUE

7. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

PARTIES

8. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

9. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

10. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

COMMON ALLEGATIONS

B. ExposingAdrian.com

11. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

12. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

13. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

14. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

15. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

16. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

17. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

C. The Letter to the Editor

18. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

19. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

20. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

21. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

D. The Exchange at the June 19, 2017, City Commission Meeting

22. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

23. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

24. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

25. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

26. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

27. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

28. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

29. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

30. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

31. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

32. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

33. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

34. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

35. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

36. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

37. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

E. Attempt to Jail Plaintiff for Political Criticism

38. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

39. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

40. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

41. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

42. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

43. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

F. The Exchange at the July 3, 2017, City Commission Meeting

44. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

45. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

46. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

47. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

48. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

49. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

50. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

51. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

G. The July 5, 2017, Electronic Mail to the City Attorney

52. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

53. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

54. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

55. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

H. The July 6, 2017, Personal Protection Order

56. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

57. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

58. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

59. As to allegations contained herein, including sub-paragraphs A-G, Defendant denies same for the reason that they are untrue.

60. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

61. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

62. As to allegations contained herein, including sub-paragraphs A-F, Defendant denies same for the reason that they are untrue.

63. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

64. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

65. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

66. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

67. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

68. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

69. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

70. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

I. The July 8, 2017, Electronic Mail to the City Attorney

71. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

72. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

73. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

J. The July 18, 2017, NAACP Candidate's Forum

74. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

75. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

76. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

77. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

78. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

79. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

80. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

81. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

82. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

83. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

84. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

85. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

86. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

87. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

88. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

LEGAL CLAIMS

COUNT I: 42 U.S.C. 1983 VIOLATION OF FIRST AMENDMENT - RETALIATION

89. Defendant hereby adopts each and every answer as previously given to paragraphs 1-88 above as though stated herein word for word.

90. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

91. As to allegations contained herein, including sub-paragraphs A-I, Defendant denies same for the reason that they are untrue.

92. As to allegations contained herein, including sub-paragraphs A-M, Defendant denies same for the reason that they are untrue.

93. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

94. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

WHEREFORE, Defendant, JAMES MICHAEL BERRYMAN, respectfully requests the entry of a Judgment of No Cause for Action or, in the alternative, the entry of an Order for Dismissal together with an award of interest, costs and attorneys fees so wrongfully incurred.

COUNT II: 42 U.S.C.1983

**VIOLATION OF 14TH AMENDMENT
PROCEDURAL DUE PROCESS**

95. Defendant hereby adopts each and every answer as previously given to paragraphs 1-94 above as though stated herein word for word.

96. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

97. As to allegations contained herein, including sub-paragraphs A-O, Defendant denies same for the reason that they are untrue.

98. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

99. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

100. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

101. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

102. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

103. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

104. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

WHEREFORE, Defendant, JAMES MICHAEL BERRYMAN, respectfully requests the entry of a Judgment of No Cause for Action or, in the alternative, the entry of an Order for Dismissal together with an award of interest, costs and attorneys fees so wrongfully incurred.

COUNT III: 42 U.S.C. 1983

VIOLATION OF 14TH AMENDMENT
SUBSTANTIVE DUE PROCESS

105. Defendant hereby adopts each and every answer as previously given to paragraphs 1-104 above as though stated herein word for word.

106. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

107. As to allegations contained herein, including sub-paragraphs A-I, Defendant denies same for the reason that they are untrue.

108. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

109. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

110. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

WHEREFORE, Defendant, JAMES MICHAEL BERRYMAN, respectfully requests the entry of a Judgment of No Cause for Action or, in the alternative, the entry of an Order for Dismissal together with an award of interest, costs and attorneys fees so wrongfully incurred.

COUNT IV: 42 U.S.C. 1983

**VIOLATION OF FOURTEENTH AMENDMENT
EQUAL PROTECTION – CLASS OF ONE**

111. Defendant hereby adopts each and every answer as previously given to paragraphs 1-110 above as though stated herein word for word.

112. Defendant neither admits nor denies the allegations therein contained for the reason that Defendant is without sufficient information or knowledge upon which to form a belief.

113. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

114. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

115. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

116. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

WHEREFORE, Defendant, JAMES MICHAEL BERRYMAN, respectfully requests the entry of a Judgment of No Cause for Action or, in the alternative, the entry of an Order for Dismissal together with an award of interest, costs and attorneys fees so wrongfully incurred.

COUNT V: 42 U.S.C. 1985

CONSPIRACY TO VIOLATE CIVIL RIGHTS

117. Defendant hereby adopts each and every answer as previously given to paragraphs 1-116 above as though stated herein word for word.

118. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

119. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

120. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

121. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

WHEREFORE, Defendant, JAMES MICHAEL BERRYMAN, respectfully requests the entry of a Judgment of No Cause for Action or, in the alternative, the entry of an Order for Dismissal together with an award of interest, costs and attorneys fees so wrongfully incurred.

SUPPLEMENTARY STATE LAW CLAIMS

COUNT VI: ABUSE OF PROCESS

122. Defendant hereby adopts each and every answer as previously given to paragraphs 1-121 above as though stated herein word for word.

123. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

124. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

WHEREFORE, Defendant, JAMES MICHAEL BERRYMAN, respectfully requests the entry of a Judgment of No Cause for Action or, in the alternative, the entry of an Order for Dismissal together with an award of interest, costs and attorneys fees so wrongfully incurred.

COUNT VII:

CIVIL CONSPIRACY

125. Defendant hereby adopts each and every answer as previously given to paragraphs 1-124 above as though stated herein word for word.

126. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

127. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

128. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

WHEREFORE, Defendant, JAMES MICHAEL BERRYMAN, respectfully requests the entry of a Judgment of No Cause for Action or, in the alternative, the entry of an Order for Dismissal together with an award of interest, costs and attorneys fees so wrongfully incurred.

COUNT VIII:

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

129. Defendant hereby adopts each and every answer as previously given to paragraphs 1-128 above as though stated herein word for word.

130. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

131. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

132. Denied, for the reason that same is untrue, and for the further reason that no facts exist to support the allegations contained herein.

WHEREFORE, Defendant, JAMES MICHAEL BERRYMAN, respectfully requests the entry of a Judgment of No Cause for Action or, in the alternative, the entry of an Order for Dismissal together with an award of interest, costs and attorneys fees so wrongfully incurred.

RELIEF

WHEREFORE, Defendant, JAMES MICHAEL BERRYMAN, respectfully requests the entry of a Judgment of No Cause for Action or, in the alternative, the entry of an Order for Dismissal together with an award of interest, costs and attorneys fees so wrongfully incurred.

Respectfully submitted:

/s/John J. Gillooly
GARAN LUCOW MILLER, P.C.
1155 Brewery Park Blvd., Suite 200
Detroit, MI 48207
313.446.5501
jgillooly@garanlucow.com
P41948

Dated: August 23, 2017

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WENDELL SHANE MACKEY,

Plaintiff,

v.

Case No: 17-12359
Judge Bernard A. Friedman
Magistrate David R. Grand

JAMES MICHAEL BERRYMAN,
Mayor of the City of Adrian, Michigan;
MARGARET M.S. NOE,
Judge of the Lenawee County Circuit Court,

Defendants.

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Counsel for Plaintiff
30600 Telegraph Road, Suite 4280
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Attorney for James M. Berryman
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JOHNSON, ROSATI, SCHULTZ &
JOPPICH, P.C.
Attorney for Margaret M.S. Noe
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331
248.489.4100
cjohnson@jrslaw.com

**DEFENDANT, JAMES MICHAEL BERRYMAN'S NOTICE OF SPECIAL
AND/OR AFFIRMATIVE DEFENSES**

NOW COMES Defendant, JAMES MICHAEL BERRYMAN, by and
through his attorneys, GARAN LUCOW MILLER, P.C., and for his Notice of

Special and/or Affirmative Defenses and Reservation of Right to File Additional Affirmative Defenses, states as follows:

1. Plaintiff's claims, all or some of them, may be barred by the applicable statute of limitations and/or the doctrine of laches and estoppel.
2. Plaintiff has failed to mitigate his damages.
3. Plaintiff's claims may be barred because of release, payment, prior judgment, and/or immunity granted by law and Defendant therefore reserves the right to file a Motion for Summary Judgment.
4. Plaintiff has failed to state a claim upon which relief can be granted.
5. There is no genuine issue of material fact and the Defendant is entitled to judgment as a matter of law.
6. Defendant is entitled to immunity as provided by law.
7. Plaintiff's claims are barred by the doctrine of res judicata and/or collateral estoppel.
8. Plaintiff's claims are barred by the doctrine of unclean hands.
9. Plaintiff's claims are barred by comparative negligence.
10. Plaintiff's claim for damages may be barred by MCL 600.2955(a)(1) & (2) if the plaintiff was impaired due to the ingestion of alcohol or controlled substances, and the Plaintiff's fault is equal to or

greater than the aggregate fault of the other person or persons that contributed to Plaintiff's injuries, whether or not parties to this action.

11. Defendant's conduct was not the proximate cause of Plaintiff's alleged injuries.

12. Defendant will rely upon all defenses available to him under the doctrines of Absolute and Qualified Immunity.

13. Defendant will rely upon all defenses available to him under the First, Fourth, Fifth, Eighth and Fourteenth Amendments of the United States Constitution.

14. Defendant will rely upon all defenses available to him under 42 USC §1983, 1981 and 1985.

15. Defendant will rely upon all defenses afforded under Michigan's Governmental Tort Liability Act, MCL 691.1407.

16. Defendant denies that he was grossly negligent or deliberately indifferent.

17. Defendant denies that there was any custom, policy or practice which caused the Plaintiff's injuries.

18. That there were negligence and intervening actions of others, including the Plaintiff that was the sole proximate cause of the incident at issue.

19. Defendant hereby states that each of the claims advanced in the Complaint of Plaintiff are barred by the doctrines of collateral estoppel and/or res judicata.

20. Defendant reserves the right to add any other special or affirmative defenses which may become known or warranted during the course of subsequent discovery or investigation.

21. Defendant hereby incorporates each and every affirmative and/or special defense stated by the Co-Defendant.

Respectfully submitted:

/s/John J. Gillooly
GARAN LUCOW MILLER, P.C.
1155 Brewery Park Blvd., Suite 200
Detroit, MI 48207
313.446.5501
jgillooly@garanlucow.com
P41948

Dated: August 23, 2017

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WENDELL SHANE MACKEY,

Plaintiff,

v.

Case No: 17-12359
Judge Bernard A. Friedman
Magistrate David R. Grand

JAMES MICHAEL BERRYMAN,
Mayor of the City of Adrian, Michigan;
MARGARET M.S. NOE,
Judge of the Lenawee County Circuit Court,

Defendants.

Issa G. Haddad (P71699)
HADDAD LAW FIRM, PLC
Counsel for Plaintiff
30600 Telegraph Road, Suite 4280
Bingham Farms, MI 48025
248.633.8500
issa@haddlaw.com

John J. Gillooly (P41948)
GARAN LUCOW MILLER, P.C.
Attorney for James M. Berryman
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JOPPICH, P.C.
Attorney for Margaret M.S. Noe
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331
248.489.4100
cjohnson@jrslaw.com

RELIANCE UPON JURY DEMAND

RELIANCE UPON JURY DEMAND

NOW COMES Defendant, JAMES MICHAEL BERRYMAN, by and through their attorneys, GARAN LUCOW MILLER, P.C., and hereby relies upon the Jury Demand filed by the Plaintiff in this matter.

Respectfully submitted:

/s/John J. Gillooly
GARAN LUCOW MILLER, P.C.
1155 Brewery Park Blvd., Suite 200
Detroit, MI 48207
313.446.5501
jgillooly@garanlucow.com
P41948

Dated: August 23, 2017

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2017, my assistant, Deborah Brossoit, electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Issa G Haddad

issa@haddlaw.com, info@haddlaw.com, haddadgt@aol.com

Christopher J. Johnson

cjohnson@jrsjlaw.com, jdoll@jrsjlaw.com

and I hereby certify that on August 23, 2017 my assistant, Deborah Brossoit, mailed by United States Postal Service the foregoing document to the following non-ECF participants, with full legal postage prepaid thereon and deposited in the United States mail:

NA

s/John J. Gillooly

1155 Brewery Park Blvd., Suite 200

Detroit, MI 48207

313.446.5501

jgillooly@garanlucow.com

P41948